

House Study Bill 156 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON FRY)

A BILL FOR

1 An Act relating to access to and funding of certain mental
2 health, substance abuse, and disability services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

ACCESS TO CERTAIN MENTAL HEALTH, SUBSTANCE ABUSE, AND
DISABILITY SERVICES

Section 1. Section 331.391, subsection 4, Code 2017, is amended to read as follows:

4. If a region is meeting the financial obligations for implementation of its regional service system management plan for a fiscal year and residual funding is anticipated, the regional administrator shall reserve an adequate amount for cash flow of expenditure obligations in the next fiscal year. The cash flow amount shall not exceed twenty-five percent of the gross expenditures budgeted for the combined account or for all regional accounts for the fiscal year in progress. Residual funding remaining after the cash flow amount is reserved shall be used to expand the region's core services under [section 331.397, subsection 4](#), ~~and then to make additional core service domains available in the region as enumerated in [section 331.397, subsection 6](#).~~

Sec. 2. Section 331.397, subsection 4, Code 2017, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *g.* Comprehensive facility and community-based crisis services, including but not limited to all of the following:

- (1) Twenty-four-hour crisis hotline.
- (2) Mobile response.
- (3) Twenty-three-hour crisis observation and holding, and crisis stabilization facility and community-based services.
- (4) Crisis residential services.

NEW PARAGRAPH. *h.* Subacute services provided in facility and community-based settings.

NEW PARAGRAPH. *i.* Justice system-involved services, including but not limited to all of the following:

- (1) Jail diversion.
- (2) Crisis intervention training.
- (3) Civil commitment prescreening.

1 NEW PARAGRAPH. *j.* Advances in the use of evidence-based
2 treatment, including but not limited to all of the following:

- 3 (1) Positive behavior support.
4 (2) Assertive community treatment.
5 (3) Peer self-help drop-in centers.

6 DIVISION II

7 TRANSFER OF EXCESS FUNDS

8 Sec. 3. Section 331.424A, subsection 4, Code 2017, is
9 amended to read as follows:

10 4. *a.* An amount shall be reserved in the county services
11 fund to address cash flow obligations in the next fiscal year.
12 The cash flow amount shall not exceed twenty-five percent
13 of the gross expenditures budgeted from the county services
14 fund for the fiscal year in progress. The cash flow amount
15 for a county's services fund shall be ~~specified in~~ based on
16 the financial provisions of the regional governance agreement
17 entered into by the county under [section 331.392](#).

18 *b.* Beginning with the fiscal year beginning July 1, 2022,
19 if on July 1 of a fiscal year the amount of funds reserved
20 to address cash flow obligations exceeds twenty-five percent
21 of the gross expenditures budgeted for the fiscal year, the
22 county shall transfer such excess amount to the treasurer of
23 state to be credited to the property tax relief fund created in
24 section 426B.1. The county treasurer shall pay the funds to
25 the treasurer of state on or before September 1.

26 Sec. 4. Section 331.432, subsection 3, Code 2017, is amended
27 to read as follows:

28 3. Except as authorized in [section 331.477](#), transfers
29 of moneys between the county mental health and disabilities
30 services fund created pursuant to [section 331.424A](#) and any
31 other fund are prohibited. This subsection does not apply to
32 transfers made pursuant to section 331.424A, subsection 4,
33 paragraph "b".

34 DIVISION III

35 MENTAL HEALTH, DISABILITY, AND SUBSTANCE USE DISORDER SERVICES

1 WORKGROUP

2 Sec. 5. WORKGROUP — MENTAL HEALTH, DISABILITY, AND
3 SUBSTANCE USE DISORDER SERVICES. The department of human
4 services shall convene a stakeholder workgroup to make
5 recommendations relating to the delivery of, access to, and
6 coordination and continuity of mental health, disability,
7 and substance use disorder services for individuals with
8 complex mental health, disability, and substance use disorder
9 needs. The recommendations of the workgroup shall be based
10 on recommendations proposed by the department. The workgroup
11 shall be comprised of representatives from community mental
12 health centers, crisis response service providers, law
13 enforcement agencies, the national alliance on mental illness,
14 the judicial system, managed care organizations, and other
15 entities as appropriate. The workgroup shall submit a report
16 with recommendations to the governor and general assembly by
17 December 1, 2017.

18 DIVISION IV

19 BED TRACKING SYSTEM

20 Sec. 6. DIRECTIVE TO DEPARTMENT OF HUMAN SERVICES —
21 PSYCHIATRIC BED TRACKING SYSTEM. The department of human
22 services shall amend its administrative rules pursuant to
23 chapter 17A to require the state mental health institutes
24 and hospitals licensed to provide inpatient psychiatric
25 treatment and services to participate in the psychiatric bed
26 tracking system and to report the number of beds available
27 for persons with a co-occurring mental illness and substance
28 abuse disorder. The department shall issue a quarterly report
29 on state mental health institutes and hospitals licensed to
30 provide inpatient psychiatric treatment and services that are
31 noncompliant with daily updates.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This bill relates to access to and funding of certain mental

1 health, substance abuse, and disability services.

2 Division I relates to certain mental health, substance
3 abuse, and disability services.

4 Under current law, a mental health and disability services
5 region must make certain initial core services available to
6 eligible residents of a region including residents with a
7 diagnosis of a mental illness, subject to available funding
8 and regardless of the funding source for the service. If
9 money is available after funding the initial core services, a
10 region must make certain additional core services available to
11 eligible residents who are not eligible for Medicaid or who
12 are not receiving other third-party payments for the services,
13 when public funds are made available for such services. The
14 additional core services include comprehensive facility and
15 community-based crisis services, subacute services provided in
16 facility and community-based settings, justice system-involved
17 services, and evidence-based treatment. The bill amends
18 current law to redesignate these additional core services as
19 initial core services that must be made available by a region.

20 Division II relates to the transfer of excess funds from the
21 county mental health and disabilities services fund.

22 Under current law, counties are required to reserve an
23 amount to address cash flow obligations in the next fiscal
24 year that does not exceed 25 percent of the gross expenditures
25 budgeted from the county services fund for the fiscal year in
26 progress. The bill provides that beginning with the fiscal
27 year beginning July 1, 2022, the amount of funds in the county
28 services fund on July 1 of a fiscal year that exceed 25 percent
29 of the budgeted gross expenditures for the fiscal year shall
30 be transferred to the treasurer of state to be credited to
31 the property tax relief fund created in current Code section
32 426B.1.

33 Division III requires the department of human services
34 to convene a stakeholder workgroup to make recommendations
35 relating to the delivery of, access to, and coordination

1 and continuity of mental health and disability services
2 for individuals with complex mental health, disability,
3 and substance use disorder needs based upon recommendations
4 proposed by the department. The workgroup shall be comprised
5 of representatives from community mental health centers,
6 crisis response service providers, law enforcement agencies,
7 the national alliance on mental illness, the judicial
8 system, managed care organizations, and other entities as
9 appropriate. The bill directs the workgroup to submit a report
10 with recommendations to the governor and general assembly by
11 December 1, 2017.

12 Division IV relates to the psychiatric bed tracking system.

13 The bill directs the department of human services to
14 amend its administrative rules to require the state mental
15 health institutes and hospitals licensed to provide inpatient
16 psychiatric treatment and services to participate in the
17 psychiatric bed tracking system and to report the number of
18 beds available for persons with a co-occurring mental illness
19 and substance abuse disorder. The bill directs the department
20 to file quarterly reports listing the mental health institutes
21 and hospitals licensed to provide inpatient psychiatric
22 treatment and services that are not compliant with daily
23 updates.